HIGH COURT OF CHHATTISGARH AT BILASPUR

Single Bench: Hon'ble Shri Jagdish Bhalla, Ag Chief Justice.

Writ Petition (C) No. 4573/2007

PETITIONER

Rehana D/o Mauli Baksh, Aged about 40 years, R/o Village Batwahi, Tahsil Lundra, District Surguja (CG)

Versus

RESPONDENTS

1. Rahim S/o Ali, Aged about 40 years
2. Salim S/o Mohd Ali, Aged about 38 years,

Both above resident of Village Batwahi, Tahsil Lundra, District Surguja (CG)

3. State of Chhattisgarh, Through : Collector, Surguja (CG)

Writ Petition under Article 227 of Constitution of India.

Present: Shri Manoj Paranjape, counsel for the petitioner.

ORAL ORDER
(Passed on 06th August, 2007)

A suit for permanent injunction was filed by the petitioner before 3rd Civil Judge, Class II, Ambikapur, Surguja. In the said suit, an application under Order XXXIX, Rule 1 & 2 of the Code of Civil Procedure was filed and the same was rejected. Being aggrieved by that order, the petitioner filed an appeal. Third Additional District Judge (FTC), Ambikapur dismissed the appeal maintaining the order dated 21.09.2006 passed by the Civil Judge, against which the petitioner has filed this present petition.

After hearing learned counsel for the petitioner and perusal of the records, this Court finds that the order passed by the trial court as well as the appellate court do not suffer from any illegality or infirmity

either on fact or law. Accordingly, no interference is warranted under Article 227 of the Constitution of India and the writ petition is dismissed.

Sd/-
Acting Chief Justice

Padma